

For the Negative.

L. H. J.  
Liber No. 47  
May 27

M<sup>r</sup> N. Smith  
Heighe  
Lecompte

M<sup>r</sup> Travers  
Hopper  
Wilkinson

M<sup>r</sup> Davis  
Tillotson  
Robins

Which Bill was accordingly Indorsed, "Read the first and second Time by especial Order, and will pass;" and was sent to the Upper House by Mr. Wootton and three more.

Mr. William Eilbeck, one of the Justices of Charles County, having attended the Summons of this House issued the 20th Day of May Instant, on a Report from the Committee of Grievances and Courts of Justice, made last Session, relating to a Judgment rendered by the Justices of Charles County in June Court, 1749, against a certain Peter Dent; was called to the Bar of the House; and the said Report being read to him, he confessed the Facts therein set forth to be true; that he was present in Court when the Judgment was entered; that he was involved in passing the said Judgment, by the Majority of the Opinions of the said Justices, and omitted entering any Protest thereto; and that he submitted to the Lenity and Determination of this House.

Mr. Eilbeck was ordered to withdraw.

The House took into Consideration the Answer of Mr. Eilbeck, and Resolved, That his Behaviour proceeded from an Inadvertency, and not from any evil Design. Ordered, That Mr. Eilbeck be again called to the Bar, and that he be acquainted from the Chair, with the Sense that this House sustained of his Conduct; and that it be recommended to him to act with more Circumspection in his Station for the future. p. 128

Mr. Eilbeck was called to the Bar, and Mr. Speaker gave him the following Charge; viz.

Sir,

From what you yourself have declared at the Bar, as well as from the Report read to you, it plainly appears, that the Magistrates did not use that Caution which is absolutely necessary, in all Cases for the due Administration of Justice, which consists in hearing coolly, fully, and impartially, both Sides of the Question, before they proceed to Judgment; it being certain, that the Rule of doing Justice is violated, whenever a Determination is had upon hearing one Side of the Question only. Fines ought to be made agreeable to the Nature of the Crimes complained of; and are to be moderated, whenever a Breach of the Laws have arose by uncommon Aggravation: But of this you refus'd to enquire, and therein greatly erred; stretching your Power to the utmost Limits of the Law.

This Honourable House therefore recommends to you more Caution and Circumspection for the future, and hopes you'll give Occa-